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CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

OFFICE OF THE DIRECTOR

14 February 1970

MEMORANDUM FOR: Ambassador William E. Colby
% Deputy Assistant Secretary William Sullivan

SUBJECT : Phoenix and Security Statements

1. Attached per our conversation is a suggested revision of your Phoenix Statement and a marked copy of your Security Statement with certain recommended textual emendations indicated thereon.

2. As indicated in our conversation, we felt the original Phoenix Statement was mal-designed for delivery in this forum and would probably set this particular group of senators' teeth very much on edge. Our revision tries to explain the climate in which Phoenix arose and the problems with which it was designed to cope. This perspective, in our judgment, is necessary to any meaningful discussion of present programs and "progress" therein.

3. We have purged most of the statistics. The ones in the original paper were internally inconsistent and would have gotten you in trouble (e.g., the tightened criteria produced what the hostile or untutored eye would seize on as a sharp rise in the proportion of kills to captures).

4. We believe you will be better off in fielding questions on demonstrable "progress." This will enable you to cite pertinent statistics of your choosing from your back-up fact books, but put them in proper verbal context as they are used.

5. On the legal basis for Phoenix, it seems to us that if pressed on this point you can take the following line, which avoids reference to specific laws or decrees (e.g., Article 4) which might

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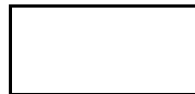
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themselves rouse the Committee's ire: Every government, the GVN included, has a fundamental right to protect its population from intimidation and depredations and to protect itself from subversion or armed insurrection. Every government, the GVN included, has a nexus of laws, ordinances and decrees giving tangible forms to such rights in the shape of statutory prohibition of certain types of action and the statutory authority for government programs in the field of security and the preservation of law and order. Phung Hoang is such a program, etc. etc.

6. This memo and its attachments are offered without pride of authorship for your consideration and whatever use you wish to put them. If we can do anything else quietly to help you, let us know. Best of luck. Mortui te salutamus.



George A. Carver, Jr.
Special Assistant for Vietnamese Affairs

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Attachments

GACarver:taw:14Feb70

Distribution:

- Orig. - Addressee w/atts
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